

## Northern Region

# Review



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*This publication provides current information on environmental activities and events relevant to U.S. Army interests in the 22 states and territories in Federal Regions 1, 2, 3 and 5. The Review is intended to be a tool useful to Department of Defense and Army environmental decision makers, planners, and program managers in carrying out their responsibilities.*

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### DOD NEWS

#### ALTERNATIVE FUEL VEHICLE (AFV) ACQUISITION REPORTS

DOD has issued a notice announcing the availability of the 1998-2001 alternative fuel vehicle (AFV) compliance reports [68 FR 2020, January 15, 2003]. The reports provide result summaries for all the services. The following is a summary of the results from the Army. The Army was unable to acquire sufficient AFVs to meet the 75 percent goal established by Energy Policy Act of 1992. The Army acquired through the Government Services Administration lease 2,454 vehicles in fiscal year 2001, a 48 percent success rate. Current projections indicate the acquisition of 2,810 vehicles in fiscal year 2002. The Army strategy includes extensive use of biodiesel credits. The full report and reports for the other service branches may be found on the DENIX public menu, under the subject area of AFV. For further information, contact Lt. Col. Bruce Harding, DOD, Office of the Secretary, (703) 604-1831, e-mail: [bruce.harding@osd.mil](mailto:bruce.harding@osd.mil).



### U.S. ENVIRONMENTAL PROTECTION AGENCY NEWS

#### Air Quality

#### NESHAP FOR MUNICIPAL SOLID WASTE LANDFILLS

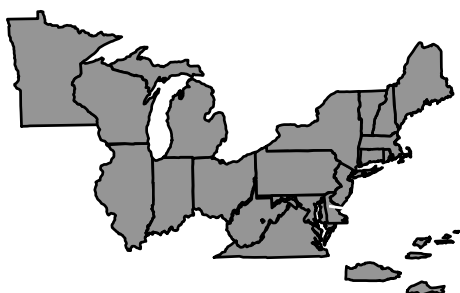
USEPA has issued a final rule approving a National Emission Standard for Hazardous Air Pollutants (NESHAP) for municipal solid waste landfills [68 FR 2227, January 6, 2003]. The standard applies to both major and area sources and contains the same requirements as the Emission Guidelines and New Source Performance Standards (NSPS). The rule: (1) adds startup, shutdown, and malfunction requirements; (2) adds operating condition deviations for out-of-bounds monitoring parameters; (3) requires timely control of bioreactor landfills; and (4) changes the reporting frequency for one type of report. The affected source may be operated as a conventional landfill, or it may be operated completely or partially as a bioreactor. To be an affected source, the landfill must have accepted waste since November 8, 1987, or have additional capacity for waste deposition, and must be either:

(1) a major source of hazardous air pollutants (HAP); (2) co-located with a major source of HAP; (3) an area source with a design capacity greater than or equal to 2.5 million Mg and 2.5 million cubic meters, and with estimated uncontrolled non-methane organic compound (NMOC) emissions equal to or greater than 50 Mg/yr; and (4) an active area source landfill with a design capacity greater than or equal to 2.5 million Mg and 2.5 million cubic meters that operates an anaerobic bioreactor. The bioreactor provisions do not apply to closed landfills. For further information, contact JoLynn Collins, USEPA, Research Triangle Park, NC, (919) 541-5671, e-mail: [collins.jolynn@epa.gov](mailto:collins.jolynn@epa.gov).

#### **NESHAP FOR STATIONARY COMBUSTION TURBINES**

USEPA has issued a proposed NESHAP for stationary combustion turbines [68 FR 1887, January 14, 2003]. The NESHAP has divided the stationary combustion turbines into the following six subcategories: (1) emergency stationary combustion turbines; (2) limited use stationary combustion turbines; (3) stationary combustion turbines that fire landfill gas or digester gas as their primary fuel; (4) stationary combustion turbines of less than 1.0 megawatt rated peak power output; (5) stationary diffusion flame combustion turbines; and (6) stationary lean premix combustion turbines. Existing lean premix stationary combustion turbines and new or reconstructed stationary combustion turbines located at a major source of HAP emissions will be required to comply with one of the following two emission limitations: (1) reduce CO emissions in the exhaust from the new or reconstructed stationary combustion turbine by 95 percent or more, if an oxidation catalyst emission control device is used; or (2) reduce the concentration of formaldehyde in the exhaust from the new or reconstructed stationary combustion turbine to 43 parts per billion by volume or less, dry basis (ppbvd), at 15 percent oxygen. Stationary combustion turbines with a rated peak power output of less than 1.0 megawatt, emergency stationary combustion turbines, limited use stationary combustion turbines, and stationary combustion turbines that burn landfill gas or digester gas as their primary fuel, and diffusion flame stationary combustion turbines are not required to comply with the emission limitations. For further information, contact Sims Roy, USEPA, Combustion Group, Emission Standards

Division, Research Triangle Park, NC, (919) 541-5263, e-mail: [roy.sims@epa.gov](mailto:roy.sims@epa.gov).



#### **SUBMISSIONS To The Northern Region Review**

We encourage feedback and welcome suggestions for expanded or improved coverage. Please contact us at

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*Past and current issues of the Northern Region Review can be found on the Army Environmental Center's website, <http://aec.army.mil>, under Regional Offices.*

#### **NESHAP FOR INDUSTRIAL, COMMERCIAL AND INSTITUTIONAL BOILERS AND PROCESS HEATERS**

USEPA has issued a proposed NESHAP for industrial, commercial, and institutional boilers and process heaters [68 FR 1659, January 13, 2003]. The proposed rule covers new, reconstructed, and existing units that are located at major sources of HAP. Hot water heaters (below 210F or 99C) are excluded. Requirements address continuous emission monitoring for carbon monoxide, and annual stack testing or other approaches for limiting particulate matter, hydrogen chloride, total selected metals, and mercury emissions. Comments are due by March 14, 2003. For further information, contact Jim Eddinger, USEPA, Combustion Group, Emission Standards Division, Research Triangle Park, North Carolina, (919) 541-5426, e-mail: [edding.jim@epa.gov](mailto:edding.jim@epa.gov).

#### **ALLOWANCE SYSTEM FOR CONTROLLING HCFC PRODUCTION**

USEPA has issued a final rule confirming an allowance system to control the US consumption and production of hydrochlorofluorocarbons (HCFCs) including HCFC-141b, HCFC-22, and HCFC-142b [68 FR 2819, January 21, 2003]. USEPA is creating a process to allow any HCFC-141b formulator to petition for production or import allowances for HCFC-141b beyond January 1, 2003. USEPA believes that there will be a small number of petitioners with legitimate claims that there are no technically viable and commercially available alternatives to HCFC-141b beyond January 1, 2003. USEPA believes that some petitioners in the following categories are most likely to meet the criteria

established in the final rule: (1) a US agency, department or instrumentality, or related entities involved in space vehicle endeavors; (2) military departments for defense uses such as cleaning of oxygen equipment and aircraft parts; and (3) Some formulators that produce polyurethane foam systems for use in insulating spray and pour foam applications. For further information, contact Vera Au, USEPA, Global Programs Division, Washington, DC, (202) 564-2216, e-mail: [au.vera@epa.gov](mailto:au.vera@epa.gov).

**LISTING OF SUBSTITUTES FOR OZONE-DEPLETING SUBSTANCES** USEPA has issued a direct final rule listing three substitutes for Ozone Depleting Substances in fire suppression and explosion protection sectors as acceptable under the Significant New Alternatives Policy program [68 FR 4003, January 27, 2003]. The three substitutes are as follows: (1) HFC227-BC is acceptable, subject to use conditions, as a halon 1301 substitute for total flooding uses. HFC227-BC, which contains a combination of HFC-227ea and sodium bicarbonate, is designed for total flooding use in military combat vehicle crew and engine compartments and for industrial fire and explosion suppression systems in occupied and unoccupied areas. (2) C6-perfluoroketone is acceptable, subject to narrowed use limits, as a halon 1211 substitute for streaming agent uses. (3) H Galden Hydrofluoropolyethers is acceptable, subject to narrowed use limits, as a halon 1211 substitute for streaming agent uses. Barring adverse comment the direct final rule becomes effective March 28, 2003. For further information, contact Bella Maranion, USEPA, Global Programs Division, Washington, DC, (202) 564-9749, e-mail: [maranion.bella@epa.gov](mailto:maranion.bella@epa.gov).

## Guidance

**NUTRIENT CRITERIA TECHNICAL GUIDANCE MANUAL** USEPA has issued a notice announcing the release of a final nutrient criteria technical guidance manual for estuaries and coastal marine waters titled, "Nutrient Criteria Technical Guidance Manual: Estuarine and Coastal Waters" [68 FR 560, January 6, 2003]. USEPA expects states and tribes to use the manual, other information and local expertise to refine USEPA's 304(a) nutrient criteria guidance so that their nutrient water quality criteria are tailored to local conditions. The guidance manual may be found at <http://www.epa.gov/OST/standards/nutrient.html>. For further information, contact David Flemer, USEPA, Health and Ecological Criteria Division, Office of Science and Technology, Washington, DC, (202) 566-1101, e-mail: [flemer.david@epa.gov](mailto:flemer.david@epa.gov).

**MIR AND RCRA WASTE SAMPLING DRAFT TECHNICAL GUIDANCE** USEPA has issued a notice extending the comment period for the Methods Innovation Rule (MIR) and the Resource, Conservation and Recovery Act (RCRA) Waste Draft Technical Guidance that was published in the Federal Register on October 30, 2002 (67 FR 66251). The comment period has been extended to February 28, 2003. The proposed rule and support materials are available at <http://www.epa.gov/epaoswer/hazwaste/test/sw846.htm>.

## Spill Control

**SPCC PLANNING DEADLINE EXTENSION** USEPA has issued an interim final rule extending the deadline for a facility to amend its Spill Prevention, Control, and Countermeasure (SPCC) Plan and implement the amended Plan by 60 days [68 FR 1347, January 9, 2003]. On July 17, 2002, (67 FR 47042), USEPA published final amendments to the SPCC rule. The amendments applied to the Non-Transportation-Related Onshore and Offshore Facilities SPCC Planning Deadline. The compliance date to update SPCC Plans to meet the new requirements has been extended from February 17, 2003 to April 17, 2003. USEPA has issued the interim final rule in order to provide the time needed for USEPA to follow the proper procedures to issue a proposed rule for a one-year planning deadline extension. USEPA issued the proposed rule for a one-year extension to the deadline for facilities to comply with the requirements in Sec. 112.3(a) (for existing facilities) and Sec. 112.3(b) (for new facilities) [68 FR 1352, January 9, 2003]. The proposed section 112.3(a) would read: "If your onshore or offshore facility was in operation on or before August 16, 2002, you must maintain your plan, but must amend it, if necessary to ensure compliance with this part, on or before February 17, 2004, and must implement the amended Plan as soon as possible, but not later than August 18, 2004." For further information, contact Hugo Fleischman, USEPA, Washington, DC, (703) 603-8769, e-mail: [fleischman.hugo@epa.gov](mailto:fleischman.hugo@epa.gov).

## Toxic Substances

**TREATMENT STANDARDS FOR MERCURY-BEARING HAZARDOUS WASTE** USEPA has issued a notice announcing the release of two studies conducted on the treatment of mercury wastes [68 FR 4481, January 29, 2003]. The studies were made to help USEPA evaluate whether it could propose treatment and disposal alternatives to current land disposal restriction (LDR) treatment standards of mercury reporting. The studies assessed conditions affecting the

stability of waste residues resulting from the treatment of high mercury (greater than 260 mg/kg total mercury) wastes. USEPA's investigation concluded that changes to the LDR regulations are impractical at this time. For further information, contact Mary Cunningham, USEPA, Washington, DC, (703) 308-8453, e-mail: [cunningham.mary@epa.gov](mailto:cunningham.mary@epa.gov).

**CHEMICAL FACILITY VULNERABILITY ASSESSMENT METHODOLOGY** USEPA has posted a Department of Justice report titled, "Chemical Facility Vulnerability Assessment Methodology." The report presents a prototype vulnerability assessment methodology developed for chemical facilities to use for identification and assessment of potential security threats, risks, and vulnerabilities. The 12-step assessment methodology was developed by the National Institute of Justice in partnership with the US Department of Energy's Sandia National Laboratories, with the cooperation and assistance of chemical industry representatives. The document is available at <http://www.ncjrs.org/pdffiles1/nij/195171.pdf>.

## Water Quality

**ECO-REGIONAL NUTRIENT CRITERIA** USEPA has issued a notice announcing two actions: (1) the finalization of nine eco-regional nutrient criteria documents for lakes and reservoirs, and rivers and streams within specific geographic regions (eco-regions) of the US; and (2) a request for significant scientific information on three new section 304(a) eco-regional nutrient criteria documents [68 FR 557, January 6, 2003]. USEPA has identified 14 nutrient eco-regions in the continental US. A map identifying the eco-regions may be found at <http://www.epa.gov/waterscience/standards/ecomap.html>. The finalized documents serve as recommendations for states to use as they develop nutrient criteria and adopt the criteria into water quality standards. The documents may be found at <http://www.epa.gov/waterscience/standards/nutrient.html>. For further information, contact Robert Cantilli, USEPA, Health and Ecological Criteria Division, Office of Science and Technology, Washington DC, (202) 566-1091, e-mail: [cantilli.robert@epa.gov](mailto:cantilli.robert@epa.gov).

**DEFINITION OF "WATERS OF THE UNITED STATES"** The US Army Corps of Engineers (USACE) and USEPA have issued a proposed rule to obtain early comments on issues associated with the scope of waters that are subject to the Clean Water Act (CWA) in light of the US Supreme Court's decision in *Solid Waste Agency of Northern Cook County v. USACE* [68 FR 1991, January 15, 2003]. In that case, the Supreme Court held that USACE had exceeded its authority in asserting CWA jurisdiction pursuant to section 404(a) over isolated, intrastate, non-navigable waters based on their use as habitat for migratory birds pursuant to preamble language commonly referred to as the "Migratory Bird Rule," 51 FR 41217 (1986). The agencies are soliciting comment on: (1) whether or under what circumstances, the factors listed in 33 CFR 328.3(a)(3)(i)-(iii) (i.e., interstate commerce related uses) or any other factors provide a basis for determining CWA jurisdiction over isolated, intrastate, non-navigable waters; (2) whether the regulations should define "isolated waters" for jurisdictional purposes, and if so, what factors should be considered; and (3) Information on the effectiveness of other federal or state programs for the protection of aquatic resources and practical experience with their implementation. The agencies are also interested in data and comments from state and local agencies on the effect of no longer asserting jurisdiction over some of the waters (and discharges to those waters) in a watershed on the implementation of Total Maximum Daily Loads and attainment of water quality standards. Comments are due by March 3, 2003. For further information, contact Donna Downing, USEPA, Washington, DC, (202) 566-1366, e-mail: [CWAwaters@epa.gov](mailto:CWAwaters@epa.gov).

**UNPAVED ROADS BMP MANUAL** USEPA has posted the "Massachusetts Unpaved Roads BMP Manual." Many of the listed best management practices (BMPs) should improve both water quality and the performance of unpaved roadways. The manual is designed to be used by road maintenance supervisors and crews. Topics covered in the manual include: (1) surface profile and grading; (2) surface materials; (3) ditch profile and lining; (4) velocity controls and energy dissipators; (5) culverts; (6) bank stabilization; (7) mat and blankets; (8) sediment controls and traps; (9) vegetative management; and (10) beaver management. The manual is available at <http://www.state.ma.us/dep/brp/wm/files/dirtroad.pdf>.

## OTHER FEDERAL AGENCY NEWS

**HAZARDOUS MATERIAL TRANSPORTATION** The US Department of Transportation's (USDOT) Research and Special Programs Administration (RSPA) has issued a final rule that amends the Hazardous Materials Regulations (HMR) [68 FR 1013, January 8, 2003]. The amendments update the HMR by incorporating by reference materials to include the most recent amendments to the: (1) International Civil Aviation Organization: Technical Instructions for the



Safe Transport of Dangerous Goods by Air, DOC 9284-AN/905, 2003-2004 Edition, including Erratum; (2) International Maritime Organization: International Maritime Dangerous Goods, 2002 Edition, including Amendment 31-02 (English Edition); and (3) United Nations: UN Recommendations on the Transport of Dangerous Goods, Twelfth Revised Edition (2001). For further information, contact Joan McIntyre, RSPA, Office of Hazardous Materials Standards, (202) 366-8553.

**CHEMICALS PROPOSED FOR LISTING IN THE REPORT ON CARCINOGENS** The National Toxicology Program (NTP) has issued a notice and request for comments on the nominations reviewed in 2002 for listing in the Report on Carcinogens, Eleventh Edition [68 FR 3033, January 22, 2003]. Ten chemicals are addressed, including: (1) cobalt sulfate (used in electroplating), naphthalene, and nitromethane -- reasonably anticipated to be a human carcinogen; and (2) diethanolamine (corrosion inhibitor in metalworking) -- motion not to list, with one dissenting vote. Comments are due by March 23, 2003. For further information, contact Dr. C. W. Jameson, NTP, Research Triangle Park, NC, (919) 541-4096, e-mail: [jameson@niehs.nih.gov](mailto:jameson@niehs.nih.gov).

**US FOREST SERVICE LANDS - SPECIAL USES REQUIRING AUTHORIZATION** The US Forest Service (USFS) has issued a proposed rule to amend the regulations at 36 CFR 251 that govern special uses of National Forest System lands [68 FR 2948, January 22, 2003]. The proposed rule clarifies requirements regarding authorizations for special uses involving National Forest System roads and trails. For further information, contact Carolyn Holbrook, USFS, Recreation, Heritage, and Wilderness Resources Staff, Washington, DC, (202) 205-1399, or Randy Karstaedt, Lands Staff, (202) 205-1256.

**HAZARDOUS FUEL REDUCTION GUIDANCE** The US Fish and Wildlife Service (USFWS) and National Marine Fisheries Service (NMFS) have issued a notice announcing the availability of guidance on evaluating the net benefit of projects that reduce hazardous fuels [68 FR 1629, January 13, 2003]. The guidance recommends that managers evaluate the net benefits of such projects during the consultation process conducted under section 7 of the Endangered Species Act (ESA) of 1973. While reducing hazardous fuels may have short- or long-term adverse effects on some species, the long-term net benefit can be substantial and sustaining to the species. The guidance will help ensure consistency in the approach the services use to analyze the risks and benefits of implementing projects to reduce hazardous fuels. Installations that implement projects to reduce hazardous fuels should review the guidance. The guidance may be found at <http://endangered.fws.gov/consultations/forestplan.html>. For further information, contact Rick Sayers, Chief, Branch of Consultation and Habitat Conservation Planning, (703) 358-2106.

**ALTERNATIVE APPROACHES FOR STREAMLINING SECTION 7 CONSULTATION** USFWS and NMFS have issued a notice announcing the availability of guidance on alternative approaches for streamlining section 7 consultation on hazardous fuels treatment projects [68 FR 1628, January 13, 2003]. The guidance presents options for land management agencies and the services for streamlining consultation conducted under section 7 of ESA. The guidance encourages early coordination and cooperation at the project planning stage, "batching" of similar projects, and use of design criteria or screens to streamline the consultation process while minimizing the potential for adverse effects to listed species and their habitats at both the landscape and site-specific levels. All procedures identified in the document are consistent with the requirements of section 7(a)(2) of ESA and its implementing regulations (50 CFR part 402). The guidance may be found at <http://endangered.fws.gov/consultations/streamlining.pdf>. For further information, contact Rick Sayers, Chief, Branch of Consultation and Habitat Conservation Planning, (703) 358-2106.

**ENDANGERED SPECIES TAKEN IN SELF DEFENSE** The USFWS has issued a final rule updating the address for submitting reports on specimens of endangered species taken in defense of self or others, or in the course of official duty by employees of federal or state land management or conservation agencies [68 FR 2019, January 22, 2003]. The final rule became effective on January 22, 2003. For further information, contact Richard McDonald, USFWS, Chief, Branch of Investigations, Office of Law Enforcement, (703) 358-1949.

CONFERENCES	WHEN	WHERE	DETAILS
<b>29<sup>th</sup> Environmental and Energy Symposium and Exhibition</b>	4/7 - 4/10/03	<b>Richmond, VA</b>	Sponsored by the Environment and Energy Division and the National Defense Industrial Association, the symposium will provide a national forum for the exchange of technical information, government policy, regulations, programs and laws; and new ideas on environmental and energy issues and areas of concern. For further information visit the symposium website at <a href="http://register.ndia.org/interview/register.ndia?~Brochure~3440">http://register.ndia.org/interview/register.ndia?~Brochure~3440</a> , or contact Derek Jenks at <a href="mailto:djenks@ndia.org">djenks@ndia.org</a> .
<b>National Pollution Prevention Roundtable Spring Conference</b>	4/8 - 4/11/03	<b>Louisville, KY</b>	The P2 Roundtable will bring together the most preeminent pollution prevention practitioners and experts to share the latest in policy, regulatory, and technical information. The meeting will feature special tracks on Environmental Management Systems and P2, international sustainability policy discussions as a follow-up to the World Summit, and P2's role in addressing global climate change challenges. For further information, visit the NPPR website: <a href="http://www.p2.org/events/spring2003/">http://www.p2.org/events/spring2003/</a> .
<b>Annual US Department of Interior Environmental Conference</b>	5/13 - 5/15/03	<b>Phoenix, AZ</b>	Hosted by the USFWS, the conference's theme is "Partnering for Environmental Stewardship: Resource Conservation for the Future." For further information, visit the conference website at <a href="http://www.doi.gov/conference/environment">http://www.doi.gov/conference/environment</a> .
<b>13<sup>th</sup> Annual DOD Low-Level Radioactive Waste Generators Meeting</b>	5/13 - 15/15/03	<b>St. Louis, MO</b>	The DOD Executive Agency for Low-Level Radioactive Waste will hold the meeting at the Marriott Pavilion. Meet to hear from management personnel responsible for the DOD Radioactive Waste Disposal Program. The agenda will focus on changes affecting current and new disposal site availability, disposal costs, new technologies for waste management, radioactive materials in the public sector and other national issues. For further information, contact Richard Conley, US Army, (309) 782-0171, <a href="mailto:conleyr@osc.army.mil">conleyr@osc.army.mil</a> .
<b>Real World Clean Air Symposium</b>	5/19 - 5/22/03	<b>Seattle, WA</b>	The symposium is sponsored by US Army Forces Command, Hill Air Force Base, Fort Irwin, the West Coast Section of the Air and Waste Management Association, with support from the Army Training and Doctrine Command, the US Army Environmental Center, and USEPA. For further information, contact Michelle Kubal, (937) 254-7950, ext. 1168, e-mail: <a href="mailto:mkubal@anteon.com">mkubal@anteon.com</a> , or visit the symposium website at <a href="http://www.usasymposium.com">www.usasymposium.com</a> .

CONFERENCES	WHEN	WHERE	DETAILS
<b>11<sup>th</sup> Annual Global Demilitarization Symposium and Exhibition</b>	5/19 - 5/22/03	<b>Sparks, NV</b>	The Joint Ordnance Commanders Group and NDIA will conduct the symposium. The event continues to support the DOD in efforts directed at reducing the stockpile of excess and obsolete strategic, tactical, and conventional munitions. The agenda will focus on the global challenges and successes experienced in the disposition of energetic materials. For further information, contact Tim Becker or Dawn Harper, NDIA, (703) 247-2573, e-mail: <a href="mailto:tbecker@ndia.org">tbecker@ndia.org</a> , or <a href="mailto:dkharper@ndia.org">dkharper@ndia.org</a> .
<b>Region 3 Environmental Colloquium</b>	9/9 - 9/11/03	<b>Williamsburg, VA</b>	The colloquium will be held at the Williamsburg Marriott Hotel, Williamsburg, Virginia. For further information, visit the Colloquium website at <a href="http://www.epa.gov/reg3esd1/fedfac/seminars.htm">http://www.epa.gov/reg3esd1/fedfac/seminars.htm</a> , or contact Jim Hartman, Chief, Northern Regional Environmental Office, (410) 436-7096, DSN 584, e-mail: <a href="mailto:james.hartman@aec.apgea.army.mil">james.hartman@aec.apgea.army.mil</a> .

WORKSHOPS/TRAINING	WHEN	WHERE	DETAILS
<b>Great Lakes Regional P2 Roundtable Winter/Spring Meeting</b>	3/5 - 3/6/03	<b>Chicago, IL</b>	The Great Lakes Regional Pollution Prevention Roundtable (GLRPPR) is a professional organization dedicated to promoting information exchange and networking to P2 professionals in the Great Lakes regions of the US and Canada. For further information or to register, visit the GLRPPR website at <a href="http://www.glrppr.org">www.glrppr.org</a> .
<b>Introductory Health Risk Communication Workshop</b>	3/11- 3/13/03 6/3 - 6/5/03	<b>Edgewood, MD Providence, RI</b>	Hosted by US Army Center for Health Promotion and Preventative Medicine (USACHPPM), the workshop will provide the participant with a basic understanding of concepts, principles, and process of effective risk communication, including building strategic stakeholder relationships that provide the framework for discussion of complex risk issues. For further information, contact Kita Perry, (410) 436-3515, e-mail: <a href="mailto:suaquita.perry@apg.amedd.army.mil">suaquita.perry@apg.amedd.army.mil</a> , or visit the website at <a href="http://chppm-www.apgea.army.mil/risk/">http://chppm-www.apgea.army.mil/risk/</a> .
<b>Hazardous Waste Manifesting/DOT Certification Initial Course</b>	3/17 - 3/21/03	<b>San Diego, CA</b>	The course is part of the USACE PROSPECT program. It is a 36-hour initial training course that provides the necessary information under RCRA and USDOT regulation to properly manifest hazardous wastes offsite. The course fulfills the initial training requirement of 49 CFR 172, Subpart H. The course is listed as approved DOD training in DOD 4500.9-R. The tuition is \$1390 per person. For further information, contact Sandi Zebrowski, USACE, (402) 697-2562, e-mail: <a href="mailto:sandi.m.zebrowski@usace.army.mil">sandi.m.zebrowski@usace.army.mil</a> .

WORKSHOPS/TRAINING	WHEN	WHERE	DETAILS
<b>Hazardous Waste Manifesting/DOT Recertification Course</b>	3/18 - 3/19/03	<b>San Diego, CA</b>	Part of the USACE PROSPECT program, the 12-hour course provides general awareness and function-specific training pertaining to the requirements of DOT hazardous materials regulations. The course fulfills the recurrent training requirements of 49 CFR 172, Subpart H. The course is listed as approved DOD training in DOD 4500.9-R. The tuition is \$520 per person. For further information, contact Sandi Zebrowski, USACE, (402) 697-2562, e-mail: <a href="mailto:sandi.m.zebrowski@usace.army.mil">sandi.m.zebrowski@usace.army.mil</a> .
<b>Army Environmental Training Symposium/ Workshop</b>	3/23 - 3/28/03	<b>Kansas City, MO</b>	Hosted by the US Army, the workshop will consist of numerous environmental short courses and seminars, and is intended to provide (1) awareness and training in Army environmental programs and specific environmental subject areas; (2) preparation for the new installation management business models (i.e., Transformation of Installation Management and Environmental Management Systems); and (3) installation staff opportunities to obtain program updates and share lessons learned. The workshop will focus on installation-level requirements. For further information, please contact Susan West, US Army Training and Doctrine Command, (757) 788-2279, e-mail: <a href="mailto:wests@monroe.army.mil">wests@monroe.army.mil</a> ; or Susan Thomas, USAEC, (410) 436-6899, e-mail: <a href="mailto:susan.thomas@aec.apgea.army.mil">susan.thomas@aec.apgea.army.mil</a> .
<b>Intermediate Health Risk Communication Workshop</b>	5/12 - 5/15/03	<b>San Antonio, TX</b>	Hosted by USACHPPM, the intermediate workshop builds on the basic understanding and skills presented in the introductory course, providing the participant with hands-on experience, on-camera media practice, and seminar-style discussions of issues impacting military health and readiness. For further information, contact Kita Perry, (410) 436-3515, e-mail: <a href="mailto:suaquita.perry@apg.amedd.army.mil">suaquita.perry@apg.amedd.army.mil</a> , or visit the website at <a href="http://chppm-www.apgea.army.mil/risk/">http://chppm-www.apgea.army.mil/risk/</a> .
<b>Super Energy Savings Performance Contracting Workshop</b>	5/20 - 5/21/03 7/22 - 7/23/03	<b>Indianapolis, IN Washington, DC</b>	The US Department of Energy, Federal Energy Management Program, is presenting the free workshop for federal employees involved in energy management, engineering, and procurement. Attendees will learn how to lower capital costs while reducing long-term energy and water bills. For further information or to register, call (703) 243-8343.



WORKSHOPS/TRAINING	WHEN	WHERE	DETAILS
<b>FEMP'S Utility Project Workshops</b>	5/28 - 5/29/03 9/16 - 9/17/03	<b>Brooklyn, NY Chicago, IL</b>	Hosted by the Federal Energy Management Program (FEMP) the workshops provide attendees with an overview of the contracting options and services available from local utility companies that offer engineering, financing, and installation of cost effective energy and water savings projects. Federal project implementation teams including facility and energy managers, engineering and legal staff, and procurement and contracting officials are strongly encouraged to attend. For further information, contact the FEMP workshop hotline at (703) 243-8343.
<b>12<sup>th</sup> Annual ITAM Workshop</b>	8/18 – 8/23/03	<b>El Paso, TX</b>	Hosted by Ft. Bliss, Texas, the theme for the 2003 Integrated Training Area Management (ITAM) workshop is "Common Dirt – Make it Work." The workshop will include a "GIS day." The theme for GIS day is "Supporting Military Readiness Through GIS." For further information, visit the workshop website at <a href="http://www.army-itam.com/workshop/12th/workshop.jsp">http://www.army-itam.com/workshop/12th/workshop.jsp</a> .
<b>Qualified Recycling Program Course</b>	Multiple Dates	<b>Multiple Locations</b>	The course provides hands-on training on how to identify and market recyclable materials. The course is for any person or organization that generates recyclable materials, is associated with an installation recycling program or DOD precious metals recovery program, or works for a DRMO. For further information, visit the Environmental Management Department's course information website at <a href="http://www.almc.army.mil/EMD/Page5.html">http://www.almc.army.mil/EMD/Page5.html</a> .
<b>USEPA Environmental Response Training Program</b>	Multiple Dates	<b>Multiple Locations</b>	As part of USEPA's comprehensive program for protecting the public and the environment from hazardous materials, the Emergency Response Division of the Office of Emergency and Remedial Response has developed the Environmental Response Training Program. The <a href="#">training courses</a> in the program are designed for personnel who respond to or who investigate and clean up abandoned hazardous waste sites. The latest information on training may be found at <a href="http://www.ertresponse.com/Training/index.htm">http://www.ertresponse.com/Training/index.htm</a> . For further information, contact Bruce Potoka, USEPA, (513) 569-7537, e-mail: <a href="mailto:potoka.bruce@epa.gov">potoka.bruce@epa.gov</a> .

WORKSHOPS/TRAINING	WHEN	WHERE	DETAILS
<b>DSMOA Training</b>	Multiple Dates	<b>Multiple Locations</b>	DOD is hosting a series of 12 DOD/State Memorandum of Agreement (DSMOA) training workshops to be held at various locations across the country. The training will focus on teaching a standardized approach to the six-step cooperative agreement process and promoting a productive dialogue between members of the DSMOA program. Both state and DOD DSMOA personnel are encouraged to attend. Please visit the conference website at <a href="http://www.enstg.com/conference">www.enstg.com/conference</a> to determine the date and location of the session in which your state is participating. It is important that DSMOA personnel attend the training workshop identified for their state. The website should also be used to register and obtain agenda and hotel information.
<b>Air Force Institute of Technology Training</b>	Multiple Dates	<b>Multiple Locations</b>	The fiscal year 2003 schedule for AFIT training courses is available at <a href="http://cess.afit.edu">http://cess.afit.edu</a> .
<b>USACE Various Environmental Training</b>	Multiple Dates	<b>Multiple Locations</b>	The USACE Professional Development Support Center has released the fiscal year 2003 course schedule, at <a href="http://pdsc.usace.army.mil/courseschedule.asp">http://pdsc.usace.army.mil/courseschedule.asp</a> . Information on various environmental courses may be found on the site either by searching with a keyword or by using the course number (CN). Environmental courses include Clean Air Act Workshop (CN 443), CERCLA/RCRA Remediation Processes, (CN 356) Environmental Regulatory Practical Application (CN 398), and many others.
<b>USEPA Regions 1, 2, 3, &amp; 5 Training Courses</b>	Multiple Dates	<b>Multiple Locations</b>	USEPA Regions 1, 2, 3, & 5 continually offer training on a variety of subjects. For further information regarding the types of courses, dates, and locations, visit USEPA's training exchange website at <a href="http://www.trainex.org">www.trainex.org</a> .
<b>Lead Paint Training</b>	Multiple Dates	<b>Multiple Locations</b>	The US Department of Housing and Urban Development is sponsoring a training series on lead-based paint maintenance and lead-based paint remodelers and renovators. The courses are scheduled to be held throughout Regions 1, 2, 3, & 5. For further information and schedule updates, visit the lead listing website at <a href="http://www.leadlisting.org">www.leadlisting.org</a> .

WORKSHOPS/TRAINING	WHEN	WHERE	DETAILS
<b>Military Munitions Rule 2 (MR2) Computer-Based Training (CBT)</b>	The MR2 CBT CD-ROM is available for shipping.		The course is designed for DOD military and civilian personnel who work with waste military munitions (WMM). The instruction provides advice regarding when military munitions may become waste and specific methods to conduct WMM operations that will be consistent on all military installations. The course may be ordered online from the <a href="#">Defense Ammunition Center (DAC)</a> . For further information, contact Gail Ruffin, DAC, (918) 420-8818, DSN 956, e-mail: <a href="mailto:ruffin@dac-emh2.army.mil">ruffin@dac-emh2.army.mil</a> .

**CONFERENCE AND TRAINING INFORMATION ON DENIX** Visit the DENIX web pages dedicated to [DOD conference information](#), [state conference information](#), and [DOD training opportunities](#).

# Region 1

**Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island and Vermont**



## CONNECTICUT

**NEW SOURCE REVIEW** USEPA has issued a proposed rule to approve the State Implementation Plan (SIP) revisions submitted by the Connecticut Department of Environmental Protection (CDEP) [68 FR 2722, January 21, 2003]. The revisions include new provisions that implement the core requirements of 1990 Clean Air Act (CAA) Amendments regarding nonattainment New Source Review (NSR) in areas that have not attained the National Ambient Air Quality Standards (NAAQS). In addition, the changes amend the applicability requirements and certain other requirements of the Prevention of Significant Protection (PSD) program and NSR rules. Finally, the changes provide a definition for "Practicably Enforceable" that would allow sources a streamlined approach to limit potential to emit for PSD/NSR applicability purposes. The revisions will substantially strengthen CDEP's air permitting rules. For further information, contact Brendan McCahill, USEPA, (617) 918-1652; e-mail: [mccahill.brendan@epa.gov](mailto:mccahill.brendan@epa.gov).

**STANDARDS FOR ASBESTOS ABATEMENT** CDEP has proposed to amend regulations, Standards for Asbestos Abatement - Notice of Demolition Activities (RCSA 19a-332a). The amendments would ensure that there is consideration of the presence of asbestos prior to the commencement of demolition activities. For further information, contact Ronald Skomro, CDEP, (860) 509-7101.

**LEAD POISONING PREVENTION AND CONTROL** CDEP has proposed to adopt amendments to the Lead Poisoning Prevention and Control regulations (RCSA 19a-11-1 to 11). The proposed amendments would update state standards in order to comply with recently enacted mandatory federal standards. The implementation of the revised standards is required to maintain state primacy over lead regulatory issues and to maintain federal funding assistance. For further information, contact Alan Buzzetti, CDEP, (860) 509-7299.



## MAINE

**OPEN BURNING** The Maine Department of Environmental Protection (MEDEP) has issued a final rule amending the regulations under MAC Chapter 102, regarding open burning. The rule prohibits outdoor burning of waste in all areas of the state but provides an exception for wood waste. The rule became effective January 14, 2003. For further information, contact Andrea Lani, MEDEP, (207) 287-2437.

**ASBESTOS MANAGEMENT** MEDEP has issued a final rule that amends regulations under MAC Chapter 425, regarding asbestos management. The rule: (1) revises notification standards for asbestos projects; (2) updates training and certification requirements for individuals engaged in asbestos activities; (3) establishes licensing standards for companies that remove asbestos; and (4) and clarifies work practice requirements. The rule became effective on January 14, 2003. For further information, contact Ed Antz, MEDEP, (207) 287-7829.

**PORTABLE FUEL CONTAINERS** MEDEP has proposed a rule that would adopt regulations under a new MAC Chapter 155, regarding portable fuel container spillage control. The proposal would require that portable fuel containers be equipped with automatic shut off devices that stop fuel flow before overflow and close when they are removed. The proposal also would require that portable fuel tanks be constructed of low permeability materials and provide exemptions for containers with a capacity of less than or equal to 1 quart, rapid refueling devices with capacities equal to or greater than 4 gallons, and safety cans and portable marine fuel tanks that operate with outboard motors. Comments are due by March 8, 2003. For further information, contact Jeff Crawford, MEDEP, (207) 287-2437.



## MASSACHUSETTS

**AMENDMENT TO ON-SITE SUBSURFACE DISPOSAL SYSTEM REGULATIONS** The Massachusetts Department of Environmental Protection (MADEP) has adopted amendments to the on-site subsurface disposal system regulations (310 CMR 15.000). The amendment increases the allowable percolation rate for effluent disposal bed to 60 minutes per inch. The amendments become effective January 1, 2004. For further information, contact Sharon Pelosi, MADEP, (617) 292-5673.



## NEW HAMPSHIRE

**REVISIONS TO PROCEDURAL RULES** The New Hampshire Department of Environmental Services (NHDES) has issued a proposal that would make the following revisions to Env-A 600, Statewide Air Permit System: (1) revise Env-A 607.01(x) by creating a permit exemption for solvent metal cleaning operations subject to Env-A 1204 and that have combined actual emissions of less than 5 tons of VOC per year; (2) repeal Env-A 613, which contains rules for applying the "bubble concept" to a facility; (3) add a new subparagraph to Env-A 620.01(a) to allow engineering calculations when determining actual emissions; and (4) add a new section, Env-A 612.03, to allow the holder of a temporary permit or state permit to operate to make changes that would violate existing permit conditions, but which would not cause a change in emissions from a facility. The permittee would be required to apply for a minor permit amendment, but could make the change before receiving the amendment from NHDES, and no public notice would be required. NHDES must readopt and amend the regulations in order to comply with CAA. (If a state fails to adopt or readopt a rule that is an important component of the operating permit program, USEPA has the authority to implement and enforce its own permit program in place of the state program and to withhold federal transportation funds from the state.) The proposal may be found at <http://www.des.state.nh.us/ard/prop600.pdf>. Comments are due by March 10, 2003. For further information, contact Barbara Hoffman, NHDES, (603) 271-7874.

**TITLE V PERMIT DEFINITION REVISIONS** NHDES has proposed revisions to several air regulation definitions and permitting procedural rules. The proposal would amend three definitions in Env-A 101: "minor modification," "minor permit amendment" and "state permit to operate." The changes are needed to conform the definitions to the provisions of Env-A 600, Statewide Permit System. The procedural rules concern both state and Title V permits. The proposed changes include extending the time period within which NHDES can issue its Findings of Fact and respond to public and applicant comments. NHDES is also considering changing the definition of "major source" to conform with USEPA's revised definition. USEPA is requiring states to make the change to their SIP plans. The revisions may be found at [http://www.des.state.nh.us/ard/prop101\\_3.pdf](http://www.des.state.nh.us/ard/prop101_3.pdf). Comments are due by March 10, 2003. For further information, contact Barbara Hoffman, NHDES, (603) 271-7874.

**READOPTION OF PERMIT FEE SYSTEM RULES** NHDES has proposed to readopt Env-A 700, Permit Fee System, with minor editorial changes. The existing rules, which will expire June 30, 2003, establish the permit fee system for sources of air pollutant emissions and allow NHDES to assess fees for pollutant emissions, permit application reviews, and testing and monitoring costs. USEPA will withdraw its approval of the state Title V program if Env-A 704 is not readopted, and NHDES could withhold federal transportation funds from the state. The proposal may be found at <http://www.des.state.nh.us/ard/prop700.pdf>. Comments are due by March 10, 2003. For further information, contact Barbara Hoffman, NHDES, (603) 271-7874.

**REVISIONS TO STREAMLINE AIR PERMIT APPLICATION RULES** NHDES has proposed to revise Env-A 1700, Air Permit Application Forms, to eliminate certain types of information currently requested by the form and streamline the language. The proposal would not impose any new requirements. The existing rule establishes the forms that NHDES requires air permit applicants to use and lists the types of information that must be submitted on the forms. The proposal may be found at <http://www.des.state.nh.us/ard/prop1700.pdf>. Comments are due by March 10, 2003. For further information, contact Barbara Hoffman, NHDES, (603) 271-7874.

**FEDERAL STANDARDS UPDATE FOR AIR POLLUTION CONTROL** NHDES has proposed to incorporate by reference revisions made to 40 CFR Parts 60, 61, & 63 in the last year, concerning NSPS and NESHAP. NHDES will add 9 new NESHAPs to the regulations, five of which may impact facilities in the state. The five NESHAPs are: (1) solvent extraction for vegetable oil; (2) surface coating for metal coils; (3) leather finishing operations; (4) cellulose production manufacturing; and (5) boat manufacturing. For further information, contact Sheri Eldridge-Banack, NHDES, (603) 271-0880.

# Region 2

New Jersey, New York, Puerto Rico  
and the Virgin Islands



## NEW JERSEY

**WASTEWATER** On January 16, 2003, Assemblyman Robert Smith introduced A.B. 3174, which prohibits the discharge of untreated or pre-treated wastewater from Superfund sites into publicly owned treatment works. The bill was referred to the Assembly Agriculture and Natural Resources Committee upon introduction. The bill may be found at [http://www.njleg.state.nj.us/2002/Bills/A3500/3174\\_11.PDF](http://www.njleg.state.nj.us/2002/Bills/A3500/3174_11.PDF). For further information, contact Bob Muhly, Army Regions 1 & 2 REC, (410) 436-7101, DSN 584, e-mail: [robert.muhly@aec.apgea.army.mil](mailto:robert.muhly@aec.apgea.army.mil).

**MUNICIPAL STORMWATER PERMITTING RULE** The New Jersey Department of Environmental Protection (NJDEP) has proposed rules to regulate municipal stormwater discharges. NJDEP is considering the creation of a municipal stormwater permitting program. NJDEP published the proposed rule separately from the rule readopting the overall New Jersey Pollutant Discharge Elimination System (NJPDDES) to minimize confusion. The proposed rules contain certain amendments to Underground Injection Control (UIC) regulations that the USEPA published in the December 7, 1999 Federal Register, and revisions to other UIC requirements relating to the issuance of permits. The proposed rules may be found at [http://www.nj.gov/dep/rules/notices/010603\\_14a.pdf](http://www.nj.gov/dep/rules/notices/010603_14a.pdf). For further information, contact Stacey Roth, NJDEP, (609) 777-4258

**AMENDMENTS TO FLOOD HAZARD AREA CONTROL ACT RULES** NJDEP is considering amendments to the Flood Hazard Area Control Act regulations (NJAC 7:13). The proposal would repeal and repromulgate the regulations. The amendments under discussion would clarify and reorganize the rules, incorporate new construction standards in flood hazard areas, increase protection of stream corridors and improve coordination between freshwater wetlands, coastal permit, and stream encroachment programs. NJDEP plans to issue the proposal by the end of March 2003. For further information, contact Gary Brower, NJDEP, (609) 777-4296.



**AMENDMENTS TO NJPDES AND WASTEWATER DISCHARGE REQUIREMENTS** NJDEP is considering the re-adoption with amendments of the NJPDES and Wastewater Discharge Requirements. The proposal would clarify the rules, reflect current federal regulations, and make corrections. The proposal would also repeal the effluent standards currently located at NJAC 7:9-5 and include revised effluent standards in the NJPDES rules. NJDEP hopes to issue a proposal by the end of May 2003. For further information, contact Stacey Roth, NJDEP, (609) 777-4258.

**AMENDMENTS TO WATER QUALITY MANAGEMENT PLANNING RULES** NJDEP is considering revisions to the Water Quality Management Planning rules at NJAC 7:15. The amendments would: (1) include technical standards for environmental analysis conducted as part of the water quality management planning process; (2) improve the predictability of the decision-making process; (3) expand regulation of discharges to groundwater; and (4) improve amendment processing efficiencies. The requirements also would be expanded to specifically address water resource protection, which encompasses water quality, water quantity, and ecosystem health. NJDEP hopes to issue a proposal by the end of May 2003. For further information, contact Gary Brower, NJDEP, (609) 777-4296.

**SUBSTANTIAL AMENDMENTS TO STORMWATER MANAGEMENT RULES** NJDEP has proposed amendments to the state's stormwater management rules (NJAC 7:8). NJDEP recently readopted without change the current stormwater management rules because they were set to expire. The proposal: (1) amends the stormwater management requirements and controls applied during the site plan review process; and (2) includes new rules for minimum safety standards for stormwater management basins and watershed stormwater management planning. NJDEP reports that amendments to the current rules are necessary to: (1) standardize and update the rules for the control of stormwater runoff; (2) establish a mechanism for watershed-based stormwater management plans and standards to be developed and implemented in lieu of statewide standards; and (3) revise municipal and regional stormwater management planning and implementation. The amendments may be found at [http://www.nj.gov/dep/rules/notices/010603\\_7a.pdf](http://www.nj.gov/dep/rules/notices/010603_7a.pdf). Comments are due by March 7, 2003. For further information, contact Elizabeth Rosenblatt, NJDEP, (609) 984-0058.



## NEW YORK

**AMENDMENTS TO SURFACE COATING PROCESSES RULE** The New York Department of Environmental Conservation (NYDEC) has republished proposed amendments to the surface coating process regulations at 6 NYCRR Part 228. The proposal includes requirements taken from the Ozone Transport Commission's Mobile Equipment Repair and Refinishing model rule. The proposal also corrects deficiencies identified by USEPA, addresses issues raised by industries, corrects factual and typographical errors, and clarifies text. Public hearings will be held on March 3, 5, and 7, 2003. Comments are due March 12, 2003. For further information, contact Brad Shaw, NYDEC, (518) 402-8403.

**AMENDMENTS TO DRINKING WATER REGULATIONS** The New York Department of Health (NYDOH) is considering making amendments to a number of drinking water regulations at 10 NYCRR 5-1. The amendments under consideration include: (1) establishing a specific maximum contaminant level (MCL) for propylene glycol and MTBE; (2) incorporating mandatory federal regulations pertaining to required public notification by public water systems following code violations or public health hazards; (3) incorporating mandatory federal regulations related to treatment, performance standards and MCLs pertaining to surface water sources, disinfection byproduct formations and limitations on filter backwash recycling; (4) incorporating mandatory federal standards for lead and copper in public water supply systems; (5) incorporating the mandatory federal MCL for arsenic and requirements for new source contaminant monitoring; (6) incorporating federal standards for provisions applicable to variances and exceptions from drinking water; and (7) modifying bottled and bulk water standards to be consistent with FDA standards. NYDOH hopes to propose the amendments by the end of 2003. For further information, contact Margaret Buhrmaster, NYDOH, (518) 473-7488.

# Region 3

Delaware, Maryland, Pennsylvania, Virginia, West Virginia  
and the District of Columbia

## REGIONAL NEWS

**MARK YOUR CALENDARS - REGION 3 ENVIRONMENTAL COLLOQUIUM** The 6th Region 3 USEPA/State/DOD Environmental Colloquium will be held at the Williamsburg Marriott Hotel, Williamsburg, VA, from September 9 to 11, 2003. A call for presentations has been sent out. Anyone interested in submitting a presentation should visit the Colloquium website at <http://www.epa.gov/reg3esd1/fedfac/seminars.htm>. For further information, contact Jim Hartman, Chief, Northern Regional Environmental Office, (410) 436-7096, DSN 584, e-mail: [james.hartman@aec.apgea.army.mil](mailto:james.hartman@aec.apgea.army.mil).

**COMMERCIAL INDUSTRIAL SOLID WASTE INCINERATOR UNITS** USEPA has issued a direct final rule approving the section 111(d)/129 negative declarations submitted by the District of Columbia, the state of Delaware, and the city of Philadelphia, PA [68 FR 48, January 2, 2003]. Each negative declaration certifies that commercial/industrial solid waste incinerator units, subject to the requirements of sections 111(d) and 129 of CAA, do not exist within its air pollution control jurisdiction. Barring adverse comment the direct final rule becomes effective on March 3, 2003. For further information, contact James Topsale, USEPA, (215) 814-2190, e-mail: [topsale.jim@epa.gov](mailto:topsale.jim@epa.gov).

**EXISTING SMALL MUNICIPAL WASTE COMBUSTION UNITS** USEPA has issued a direct final rule approving the section 111(d)/129 negative declarations submitted by the District of Columbia, the state of Delaware, and Allegheny County and the City of Philadelphia, PA [68 FR 50, January 2, 2003]. Each negative declaration certifies that small municipal waste combustion units, subject to the requirements of sections 111(d) and 129 of CAA, do not exist within its air pollution control jurisdiction. Barring adverse comment the direct final rule becomes effective on March 3, 2003. For further information, contact James Topsale, USEPA, (215) 814-2190, e-mail: [topsale.jim@epa.gov](mailto:topsale.jim@epa.gov).

**EXISTING MUNICIPAL SOLID WASTE LANDFILLS** USEPA has issued a direct final rule approving the section 111(d) negative declarations submitted by the District of Columbia, and the city of Philadelphia, PA [68 FR 53, January 2, 2003]. Each negative declaration certifies that municipal solid waste landfills, subject to the requirements of section 111(d) of CAA, do not exist within its air pollution control agency's jurisdiction. Barring adverse comment the direct final rule becomes effective on March 3, 2003. For further information, contact James Topsale, USEPA, (215) 814-2190, e-mail: [topsale.jim@epa.gov](mailto:topsale.jim@epa.gov).

**ONE-HOUR OZONE ATTAINMENT DEMONSTRATIONS** USEPA has issued a proposed rule to conditionally approve the 1-hour ozone attainment demonstration and the 1996-1999 rate-of-progress (ROP) plans for the Metropolitan Washington, DC, ozone nonattainment area submitted by the District of Columbia's Department of Health (DCDOH), the Maryland Department of the Environment (MDE) and the Virginia Department of Environmental Quality (VDEQ) [68 FR 5246, February 3, 2003]. The conditional approval also would include enforceable commitments submitted by the District of Columbia, Virginia and Maryland as part of the 1-hour attainment demonstration plan to perform a mid-course review and to submit revised motor vehicle emissions budgets. USEPA also is proposing to clarify what would occur if USEPA issued a final conditional approval of any of the SIPs based on a state commitment to revise the SIP's 2005 motor vehicle emissions budgets in the future. If that were to occur, the 2005 motor vehicle emissions budgets in the conditionally approved SIP would apply for transportation conformity purposes only until the budgets were revised consistent with the commitment and USEPA found the new budgets adequate. Once USEPA found the revised budgets adequate, they would apply instead of the previous conditionally approved 2005 budgets. In the alternative, USEPA also is proposing to disapprove the Washington area attainment demonstration with a protective finding for the 2005 motor vehicle emissions budgets and/or the 1996-1999 ROP plan with a protective finding for the 1999 motor vehicle emissions budgets. Comments are due by March 5, 2003. For further information, contact Christopher Cripps, USEPA, (215) 814-2179, e-mail: [cripps.christopher@epa.gov](mailto:cripps.christopher@epa.gov).



## DELAWARE

### **ENVIRONMENTAL ADMINISTRATIVE PROCEDURES**

On January 30, 2003, Sen. David Sokola introduced [S.C.R. 3](#), which urges the Attorney General to join a lawsuit brought against the USEPA by the states of Connecticut, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Rhode Island, and Vermont; or to initiate an independent lawsuit on behalf of Delaware. The lawsuit would fight implementation of recent regulatory changes that would generally increase the level of pollutants certain facilities would be allowed to release by exempting them from certain provisions of CAA. For further information, contact Jim Hartman, Chief, Northern Regional Environmental Office, (410) 436-7096, DSN 584, e-mail: [james.hartman@aec.apgea.army.mil](mailto:james.hartman@aec.apgea.army.mil).

### **AIR QUALITY**

On January 21, 2003, Sen. David McBride introduced [S.J.R. 1](#), which continues the life of the Delaware River and Bay Oversight Committee. The bill requires the committee to investigate, consider and recommend a proper design and establishment of a permanent Delaware River and Bay Oversight Commission and other matters of importance concerning the movement and transfer of hazardous substances on the Delaware River and Bay. The recommendation is required to come in the form of a report to be filed with the General Assembly on or before March 15, 2004. The report also must contain recommendations concerning the potential impact of safe operations of the Secretary's adoption of a Chapter 24, Section 46 control of VOC emissions from lightering operations, in the Delaware Bay regulations. For further information, contact Jim Hartman, Chief, Northern Regional Environmental Office, (410) 436-7096, DSN 584, e-mail: [james.hartman@aec.apgea.army.mil](mailto:james.hartman@aec.apgea.army.mil).

### **AMENDMENT TO AMBIENT AIR QUALITY STANDARDS**

The Delaware Department of Natural Resources and Environmental Control (DDNREC) has adopted an amendment reverting Regulation 3, Section 11 Particulate Matter (PM 10) air quality standards back to their pre-November 1999 form. The adoption was necessary in response to the March 26, 2002, Court of Appeals decision that vacated USEPA's standards. That decision resulted in the standard contained in DDNREC November 3, 1999 SIP submittal being less restrictive than the current PM 10 NAAQS. As a result, USEPA cannot approve Delaware's SIP revision containing a less restrictive PM 10 NAAQS standard than the 1987 standard. The amendment may be found on page 609 at [http://www.legis.state.de.us/LIS/Register.nsf/vwRegisters/65/\\$file/November2002.pdf?openelement](http://www.legis.state.de.us/LIS/Register.nsf/vwRegisters/65/$file/November2002.pdf?openelement). For further information, contact John Sipple, DDNREC, (302) 739-4791.



## DISTRICT OF COLUMBIA

### **EXISTING HOSPITAL/MEDICAL/INFECTIOUS WASTE INCINERATOR UNITS**

USEPA has issued a direct final rule approving the section 111(d)/129 negative declaration submitted by the District of Columbia Department of Health, Environmental Health Administration [[68 FR 52](#), January 2, 2003]. The negative declaration certifies that existing Hospital/Medical/Infectious Waste Incinerator units, subject to the requirements of sections 111(d) and 129 of CAA, do not exist within the District of Columbia. Barring adverse comment the direct final rule becomes effective on March 3, 2003. For further information, contact James Topsale, USEPA, (215) 814-2190, e-mail: [topsale.jim@epa.gov](mailto:topsale.jim@epa.gov).

### **AMENDMENTS TO STORMWATER GUIDEBOOK AND EROSION REGULATIONS**

The DC Watershed Management Division (DCWMD) has proposed amendments to 21 DCMR 5, Standards and Specifications for Soil Erosion and Sediment Control regulations. DCWMD also has plans to propose revisions to the Stormwater Management Guidebook. The amendments will both strengthen and streamline the regulations. For further information, contact Hamid Karimi, DCWMD, (202) 535-2240.



## MARYLAND

**APPROVAL OF THE OPERATING PERMIT PROGRAM** USEPA has issued a final rule granting full approval to the state of Maryland's operating permit program [68 FR 1974, January 15, 2003]. Maryland's operating permit program was submitted in response to the CAA Amendments of 1990 that required each state to develop, and submit to USEPA, a program for issuing operating permits to all major stationary sources and to certain other sources within the state's jurisdiction. The final rule became effective on February 14, 2003. For further information, contact David Campbell, USEPA, Permits and Technical Assessment Branch, (215) 814-2196, e-mail: [campbell.dave@epa.gov](mailto:campbell.dave@epa.gov).

**ON-BOARD DIAGNOSTIC TESTING** USEPA has issued a direct final rule approving revisions to the Maryland SIP [68 FR 2208, January 16, 2003]. Maryland had requested a six-month extension of the federal deadline to incorporate electronic checks of On-board Diagnostic (OBD) computer systems of 1996-and-newer vehicles into Maryland's motor vehicle emissions inspection and maintenance (I/M) program. USEPA's rules governing I/M programs required states to add OBD checks to their I/M programs by January 1, 2002. However, the same rules provide states the option to submit a request for delay of the deadline by up to one year, provided each state making such a request for delay demonstrates to USEPA such a delay is necessary. Barring adverse comment the direct final rule becomes effective on March 17, 2003. For further information, contact Janet Kremer, USEPA, (215) 814-2147, e-mail: [kremer.janet@epa.gov](mailto:kremer.janet@epa.gov).

**AMENDMENTS TO VOC REQUIREMENTS** USEPA has issued a direct final rule approving revisions to the Maryland SIP [68 FR 5228, February 3, 2003]. The revisions consist of two amendments to Maryland's air pollution control regulations governing specific processes on VOC requirements. The revisions pertain to alternative method of compliance and good operating practices. Barring adverse comment the direct final rule becomes effective on April 4, 2003. For further information, contact Betty Harris, USEPA, (215) 814-2168, e-mail: [harris.betty@epa.gov](mailto:harris.betty@epa.gov).

**VEHICLE EMISSIONS INSPECTION REQUIREMENTS** On January 21, 2003, Del. James Hubbard introduced H.B. 61, which exempts specified qualified hybrid vehicles from motor vehicle emissions inspection requirements under certain circumstances. The bill requires the Motor Vehicle Administration to adopt specified regulations. The bill was referred to the House Environmental Matters Committee upon introduction. The bill may be found at <http://mlis.state.md.us/2003rs/bills/hb/hb0061f.rtf>. A companion bill is under consideration in the Senate, S.B.206. For further information, contact Jim Hartman, Chief, Northern Regional Environmental Office, (410) 436-7096, DSN 584, e-mail: [james.hartman@aec.apgea.army.mil](mailto:james.hartman@aec.apgea.army.mil).

**AIR QUALITY** On January 15, 2003, Del. James Hubbard introduced H.J.R. 1, which opposes recently adopted changes to the New Source Review air pollution control program. The bill opposes specified changes that would allow industrial facilities to avoid upgrading air pollution control equipment. The bill supports efforts by other northeastern states to block implementation of New Source Review rule changes. It also supports a specified lawsuit filed in the US District Court of Appeals and urges the Maryland Congressional Delegation to oppose any changes that would weaken the provisions of CAA. The bill was referred to the House Rules and Executive Committee upon introduction. The text of the bill may be found at <http://mlis.state.md.us/2003rs/bills/hj/hj0001f.rtf>. For further information, contact Jim Hartman, Chief, Northern Regional Environmental Office, (410) 436-7096, DSN 584, e-mail: [james.hartman@aec.apgea.army.mil](mailto:james.hartman@aec.apgea.army.mil).

**AMENDMENTS TO DISCHARGE LIMITATIONS REGULATIONS** MDE has proposed amendments to the discharge limitations regulations (COMAR 26.08.03.09). The purpose of amendments is to detail the procedures that must be followed regarding reporting overflows or treatment plant bypasses to MDE by telephone and by written report. The amendments require the owner or operator of a sanitary sewer system, combined sewer system, or wastewater treatment plant to provide public notification of certain sewage overflows and to monitor bacterial water quality when directed to do so by certain state agencies or officials. For further information, contact Deanna Miles-Brown, MDE, (410) 631-3173.

**TRIENNIAL REVIEW OF WATER QUALITY STANDARDS** MDE is considering new rules to implement Maryland's Tier II anti-degradation regulations. The rules will set forth the criteria for listing Tier II waters and the procedures for anti-degradation review of water and sewerage plans. The rules will also provide for public participation in the permit process. MDE staff report that the proposal will be included in MDE's next triennial review. Among the other changes to be proposed is the adoption of federal standards for trihalomethanes. MDE has initially identified the following issues as



areas for revisions: (1) new Chesapeake Bay standards; (2) reclassification of Roaring Run (tributary to North Branch of Patapsco), un-named tributary to the North Branch of Patapsco, and Rock Run in Cecil County from Use I to Use III; (3) protection of threatened and endangered species in mixing zones; (4) antidegradation; (5) chemical criteria, including mercury/methylmercury, arsenic, and selenium; (6) replacement of recently published criteria based on MCLs with human health criteria; (7) new bacterial indicator criteria for beaches made mandatory; (8) nutrient criteria; (9) biocriteria (biological assessment criteria); (10) water color (replace the current narrative color criterion with a numeric criterion based on the platinum cobalt scale); (11) temperature (the narrative portion of the current regulation specifying a temperature "or ambient" may be replaced with quantitative interpretation); (12) dissolved oxygen; and (13) revision and clarification of the current definition of "Intermittent Streams." For further information, contact Richard Eskin, MDE, (410) 631-3691.

**SAFETY STANDARDS FOR HAZARDOUS LIQUID PIPELINES** The Maryland Public Service Commission (MPSC) has adopted regulations establishing safety standards for hazardous liquid pipelines (COMAR 20.58.01 & 20.58.02). The regulations concern inspection of hazardous liquid pipelines and related enforcement procedures. The regulation also includes the imposition of a fee onto operators of hazardous liquid pipelines, in order to cover the cost of inspection. The regulations became effective on January 20, 2003. For further information, contact Felecia Greer, MPSC, (410) 767-8067.



## PENNSYLVANIA

**APPROVAL OF THE UNDERGROUND STORAGE TANK PROGRAM** USEPA has issued a notice of tentative determination on Pennsylvania's application for approval of its Underground Storage Tank (UST) Program [68 FR 329, January 3, 2003]. USEPA has reviewed the state's application and has made the tentative determination that the state's UST program satisfies all of the requirements necessary to qualify for approval. For further information, contact Carletta Parlin, USEPA, RCRA State Programs Branch, Philadelphia, PA, (215) 814-3380, e-mail: [parlin.carletta@epa.gov](mailto:parlin.carletta@epa.gov).

**CONTROL OF VOC FROM SOLVENT CLEANING OPERATIONS** USEPA has issued a final rule approving a SIP revision submitted by the Commonwealth of Pennsylvania [68 FR 2206, January 16, 2003]. The revision establishes revised VOC control regulations for solvent cleaning operations and also adds new definitions and amends certain existing definitions for terms used in regulations pertaining to solvent cleaning operations. The final rule became effective on February 18, 2003. For further information, contact Ellen Wentworth, USEPA, (215) 814-2034, e-mail: [wentworth.ellen@epa.gov](mailto:wentworth.ellen@epa.gov).



## VIRGINIA

**DELETION OF FORMER NANSEMOND ORDNANCE DEPOT SITE FROM THE NPL** USEPA Region 3 has issued a notice and request for comments on its intent to delete soil in the Impregnation Kit Area of the Former Army Nansmond Ordnance Depot site, Suffolk, VA, from the National Priorities List (NPL) [68 FR 2726, January 21, 2003]. Comments are due by February 20, 2003. For further information, contact Robert Thomson, Remedial Project Manager, USEPA Region 3, Philadelphia, PA, (215) 814-3357, e-mail: [thomson.bob@epa.gov](mailto:thomson.bob@epa.gov).

**UPDATE OF CRITERIA AND USE DESIGNATIONS FOR BACTERIA AND AMMONIA** USEPA has granted partial approval for a regulation update of the statewide ammonia and bacteria criteria submitted by the Virginia State Water Control Board (VSWCB). The update allows the state criteria to match updates published by the USEPA. The update changes the indicator requirement for bacteria to require one indicator, instead of two as originally proposed. USEPA has granted its approval for bacteria only, and the rule amendment became effective January 15, 2003. USEPA has not yet granted approval of the statewide ammonia criteria. USEPA is expected to grant approval for statewide ammonia criteria in the first quarter of 2003. For further information, contact Jean Gregory, VSWCB, (804) 698-4113.



**RECODIFICATION OF EXISTING SIP PROVISIONS** USEPA has issued a direct final rule approving revisions to the Virginia SIP [68 FR 663, January 7, 2003]. The revisions consist of substantive and format changes to Virginia's general administrative provisions and definitions, reorganization and recodification of the general conformity requirements and provisions, recodification of Virginia's oxygenated gasoline regulation, and revisions to the list of technical documents, which Virginia incorporates by reference into its air pollution control regulations. USEPA also has corrected typographical errors and other errata currently found in the identification of plan rule chart. Barring adverse comment the direct final rule becomes effective March 10, 2003. For further information, contact Harold Frankford, USEPA, (215) 814-2108, e-mail: [frankford.harold@epa.gov](mailto:frankford.harold@epa.gov).

**STORMWATER** On January 21, 2003, the House passed H.B. 1953, which requires the Director of VDEQ to appoint a Low Impact Development Assessment Task Force. The nine-member task force shall operate as an entity within VDEQ. The bill requires the Task Force to: (1) develop a certification process for low impact development techniques in achieving quantifiable pollution prevention or abatement results; (2) develop such other guidance for local governments and the general public as necessary to promote a more complete understanding of the most effective use of low impact development techniques; (3) recommend changes to existing statutes and regulations to facilitate the use of low impact development techniques, and (4) develop a model ordinance for use by local governments. The bill was referred to Senate Agriculture, Conservation and Natural Resources Committee on January 22, 2003. The bill may be found at <http://leg1.state.va.us/cgi-bin/legp504.exe?031+ful+HB1953+pdf>. For further information, contact Jim Hartman, Chief, Northern Regional Environmental Office, (410) 436-7096, DSN 584, e-mail: [james.hartman@aec.apgea.army.mil](mailto:james.hartman@aec.apgea.army.mil).

**SHORELINE EROSION CONTROL** On February 1, 2003, the House passed H.B. 2314, which redefines shoreline erosion control projects on tidal waters when all of the land disturbing activities are within the regulatory authority of and approved by local wetlands boards, the Marine Resources Commission or the USACE. The bill determines that any associated land that is disturbed outside of the exempted area shall remain subject to the regulations. The bill may be found at <http://leg1.state.va.us/cgi-bin/legp504.exe?031+ful+HB2314H1>. For further information, contact Jim Hartman, Chief, Northern Regional Environmental Office, (410) 436-7096, DSN 584, e-mail: [james.hartman@aec.apgea.army.mil](mailto:james.hartman@aec.apgea.army.mil).

**HAZARDOUS WASTE FEES** On January 8, 2003, Del. Kenneth Plum introduced H.B. 2315, which directs the Virginia Waste Management Board and the State Water Control Board to establish a schedule of fees that recovers the full costs for operating solid and hazardous waste programs and water programs. The bill was referred to House Agriculture, Chesapeake and Natural Resources Committee upon introduction and tabled in committee on January 22, 2003. The bill may be found at <http://leg1.state.va.us/cgi-bin/legp504.exe?031+ful+HB2315+pdf>. For further information, contact Jim Hartman, Chief, Northern Regional Environmental Office, (410) 436-7096, DSN 584, e-mail: [james.hartman@aec.apgea.army.mil](mailto:james.hartman@aec.apgea.army.mil).

**EXOTIC NUISANCE SPECIES** On January 31, 2003, the House Appropriations Committee reported on H.B. 2436, which establishes the nine-member Invasive Species Council. The Council, which is composed of executive branch agency heads and chaired by the Secretary of Natural Resources, is charged with providing state leadership regarding prevention and control of invasive species and preparation of an invasive species management plan. The bill may be found at <http://leg1.state.va.us/cgi-bin/legp504.exe?031+ful+HB2436+pdf>. For further information, contact Jim Hartman, Chief, Northern Regional Environmental Office, (410) 436-7096, DSN 584, e-mail: [james.hartman@aec.apgea.army.mil](mailto:james.hartman@aec.apgea.army.mil).

**WATER PROGRAMS** On January 17, 2003, Del. Morgan Griffith introduced H.B. 2784, which transfers the Sewage Disposal program, the State Health Department Sewage Handling and Disposal Appeal Review Board, the Public Water Supplies program, the Private Well Construction program, and the Gray Water program from the Virginia Department of Health to the VDEQ. The bill was referred to House Agriculture, Chesapeake and Natural Resources Committee upon introduction and tabled in committee on January 29, 2003. The bill may be found at <http://leg1.state.va.us/cgi-bin/legp504.exe?031+ful+HB2784+pdf>. For further information, contact Jim Hartman, Chief, Northern Regional Environmental Office, (410) 436-7096, DSN 584, e-mail: [james.hartman@aec.apgea.army.mil](mailto:james.hartman@aec.apgea.army.mil).

**DISCHARGE BANS** On January 22, 2003, Del. Kathy Byron introduced H.B. 2832, which removes the restriction on the State Water Control Board that prohibits it from promulgating no-discharge regulations that are more restrictive than federal law. Removing the restriction on the board's authority will enable the Commonwealth to enforce its no-discharge regulations at Smith Mountain Lake. The bill was referred to the House Agriculture, Chesapeake and Natural Resources Committee upon introduction and tabled in committee on January 29, 2003. The bill may be found at <http://leg1.state.va.us/cgi-bin/legp504.exe?031+ful+HB2832+pdf>. For further information, contact Jim Hartman, Chief, Northern Regional Environmental Office, (410) 436-7096, DSN 584, e-mail: [james.hartman@aec.apgea.army.mil](mailto:james.hartman@aec.apgea.army.mil).

**CONSERVATION EASEMENTS** On January 16, 2003, the Senate passed S.B. 1053, which allows national organizations in good standing with the State Corporation Committee, that have been in existence for at least five years and have an office in the Commonwealth to be sole holders of conservation easements if they also meet other existing criteria. The bill was referred to the House Agriculture, Chesapeake and Natural Resources Committee on January 24, 2003. The text of the bill may be found at <http://leg1.state.va.us/cgi-bin/legp504.exe?031+ful+SB1053+pdf>. For further information, contact Jim Hartman, Chief, Northern Regional Environmental Office, (410) 436-7096, DSN 584, e-mail: [james.hartman@aec.apgea.army.mil](mailto:james.hartman@aec.apgea.army.mil).

**SEWAGE** On January 16, 2003, the Senate passed S.B. 1088, which amends current biosolids land application law by establishing standard complaint and investigation procedures, including the maintenance of a searchable electronic database of complaints by the Virginia Department of Health (VDH). The bill: (1) requires nutrient management plans (NMPs) prepared by persons certified by the Virginia Department of Conservation and Recreation (DCR) for all land application sites, regardless of the frequency of application; (2) requires DCR approval of all NMPs for sites where biosolids are land-applied more than once every three years at agronomic rates; (3) allows VDH to incorporate into the permit reasonable site-specific special conditions to protect the environment or the health, safety and welfare of persons residing in the vicinity of the proposed application site; (4) requires that VDH also include in its notice of special conditions such site-specific conditions recommended by the locality; (5) allows the permit applicant at least 14 days to respond to the proposed conditions with objections heard by the Health Commissioner; (6) requires permit holders to provide VDH with evidence of financial responsibility in order to demonstrate permit holder will be able to pay claims for cleanup costs, personal injury and property damage (what constitutes evidence of financial responsibility will be established by regulation) ; (7) creates a land-application certification program to be established by VDH pursuant to which all future land-application sites must have a certified land-applicator on location at all times during the application process; (8) grants localities that have adopted a biosolids testing and monitoring ordinance the authority to order the abatement of land-application activity for violations of relevant laws and regulations; and (9) requests that VDH review certain reports of the National Research Council and USEPA, report its findings to the Virginia Board of Health by June 30, 2004, and if requested by the board, initiate rulemaking proceedings by September 1, 2004. The bill was referred to the House Health, Welfare and Institutions Committee on January 24, 2003. The bill may be found at <http://leg1.state.va.us/cgi-bin/legp504.exe?031+ful+SB1088+pdf>. For further information, contact Jim Hartman, Chief, Northern Regional Environmental Office, (410) 436-7096, DSN 584, e-mail: [james.hartman@aec.apgea.army.mil](mailto:james.hartman@aec.apgea.army.mil).

**STORMWATER** On February 3, 2003, the Senate passed S.B. 1193, which allows localities to provide full or partial waivers of stormwater drainage and facilities fees to any person who develops, redevelops or retrofits outfalls, discharges or property so that there is a permanent reduction in post-development stormwater flow and pollutant loading. The bill may be found at <http://leg1.state.va.us/cgi-bin/legp504.exe?031+ful+SB1193+pdf>. For further information, contact Jim Hartman, Chief, Northern Regional Environmental Office, (410) 436-7096, DSN 584, e-mail: [james.hartman@aec.apgea.army.mil](mailto:james.hartman@aec.apgea.army.mil).

**DISCHARGES FROM PETROLEUM CONTAMINATED SITES** VDEQ has adopted amendments to the General Pollution Discharge Elimination Permit for Discharges from Petroleum Contaminated Sites (9 VAC 25-120-10). The amendments will establish permitting requirements for discharges of wastewater from the cleanup of sites contaminated by petroleum products. The existing general permit expired February 24, 2003. The general permit regulation is being re-issued in order to continue making it available after that date. VDEQ staff state that the amendments are minor and will not result in any significant changes to the permit. The amendments will also concern hydrostatic testing. The amendments became effective on February 26, 2003. For further information, contact Jon Van Soestbergen, (804) 698-4117.

**REGULATION OF ON-ROAD HEAVY-DUTY DIESEL ENGINES** VDEQ has withdrawn its consideration to adopt a regulation establishing testing and certification procedures for manufacturers of on-road heavy-duty diesel engines sold in Virginia. VDEQ issued a Notice of Intended Regulatory Action and presented three options. Option 1 would require that vehicles equipped with heavy-duty diesel engines for model years 2005 and beyond be certified by the California Air Resources Board (CARB) before being registered, imported, sold, leased or purchased in the state. Option 2 explicitly incorporates by reference the CARB requirements (including existing regulations and future amendments) into the state code. Option 3 requires the state to develop laws, regulatory language, and test procedures equivalent in stringency (and perhaps other aspects) to the California rules. VDEQ has decided to not proceed further in the rulemaking process. For further information, contact Kathleen Sands, VDEQ, (804) 698-4413.

**DISCHARGES OF STORMWATER ASSOCIATED WITH INDUSTRIAL ACTIVITY** VDEQ is considering the re-issuance of the general permit for discharges of stormwater associated with industrial activity (9 VAC 25-151). The existing permit will expire June 30, 2004. VDEQ does not plan to make changes to the existing permit, although amendments may be considered if VDEQ receives comments indicating that amendments to the general permit should be made. For further information, contact Burt Tuxford, VDEQ, (804) 698-4086.

**NORTHERN VIRGINIA OZONE NONATTAINMENT AREA SIP** VDEQ has proposed a revision consisting of amendments to existing regulation provisions affecting the Northern Virginia ozone nonattainment area. The amendments consist of: (1) changing the list of nonattainment areas to reflect a designation of "severe" instead of "serious"; (2) changing the applicability threshold for NOx Reasonably Available Control Technology (RACT) from 50 tons per year to 25 tons per year; and (3) providing that an affected source provide the board with a schedule for making a RACT determination and for achieving compliance with the emission standard by November 15, 2005. VDEQ is seeking comment on the regulation amendments and on whether the regulation amendments should be submitted to USEPA as a revision to the SIP. For further information, contact Karen Sabasteanski, VDEQ, (804) 698-4426.

**STORMWATER ASSOCIATED WITH CONSTRUCTION ACTIVITY** VDEQ is considering the re-issuance of the general permit for discharges of stormwater associated with construction activity (9 VAC 25-180). VDEQ does not anticipate any amendments to the general permit, unless comments are received indicating that amendments are necessary. For further information, contact Burt Tuxford, VDEQ, (804) 698-4086.

**CONTROL AND ABATEMENT OF AIR POLLUTION** VDEQ is considering drafting amendments to the regulations for the control and abatement of air pollution. Specifically, VDEQ would address the VOC Early Reduction Credit (9 VAC 5-20-206) and the Emissions Standards for General Process Operations (9 VAC 5-40-240). The amendments would enlarge the scope of VOC emission control areas in order to include potential new ozone nonattainment areas. The amendments are being considered in order to implement a program established by USEPA for areas potentially designated as nonattainment under the 8-hour ozone standard. The program enables such areas to avoid the nonattainment designation through early reduction credits. By avoiding the nonattainment designation, the areas will avoid new source review for major sources, including the requirement to make offsets, and conformity review. For further information, contact Karen Sabasteanski, VDEQ, (804) 698-4426.

**AMENDMENTS TO FEES FOR PERMITS AND APPLICATIONS** The Virginia State Water Control Board (VSWCB) has issued an Notice of Intended Rulemaking Action (NOIRA), indicating its intent to amend the regulations regarding fees for permits and certificates. VSWCB plans to amend the regulations in order to incorporate changes recently made to the statute. VSWCB also will consider other changes to the regulations based on issues raised during the comment period and at the meeting. The General Assembly amended and re-enacted revisions to § 62.1-44.15:6 of the Code of Virginia increasing the maximum allowable amounts for processing each type of permit/certificate category. VSWCB has issued an emergency regulation revising the maximum allowable fees in 9 VAC 25-20 to reflect the revisions made by the Assembly. Under the emergency regulation, the existing regulation will be revised to reflect the changes in maximum amounts. The fees specified in 9 VAC 25-20-110, 9 VAC 25-20-120, and 9 VAC 25-20-130 are multiplied by a factor of three, or increased to the maximum amounts specified by the General Assembly revisions, whichever is lower. Additionally, the Virginia Water Protection (VWP) permit waiver fee is eliminated and the fee for registration under a VWP General Permit is staggered for projects impacting less than one-half acre and projects impacting one-half acre or more. The proposal would adopt the emergency rule and also include a provision recognizing that no permit fee is required for projects impacting less than 1/10 of an acre. The effective date of the emergency regulation was July 1, 2002 and the expiration date is June 30, 2003. Comments are due by March 28, 2003. For further information, contact Jon Van Soestbergen, VSWCB, (804) 698-4117.

**AMENDMENTS TO HAZARDOUS WASTE FEE REGULATIONS** VWMB has issued emergency regulations and is proposing permanent regulations to amend the hazardous waste fee regulations. Chapter 14 of the 2002 Acts of Assembly requires the Waste Management Board to promulgate regulations, within 280 days of the enactment of the statute, establishing a fee schedule sufficient to cover no more than 20 percent of the direct cost of the hazardous and solid waste management programs based on the allocations made to the programs in the 2002 Appropriation Act. The individual permit fees may not increase more than 300 percent. Under the emergency regulation, each permit fee is multiplied by three in order to establish the new permit fee. The regulatory action assures that adequate funds are available to allow the continuation of permitting activities ensuring the protection of human health and the environment. The final permanent regulation will address the appropriate role of the regulation in funding the hazardous waste program. VWMB also issued a NOIRA, indicating its intent to amend the hazardous waste regulations. VWMB has

studied potential improvements to the regulations with regard to the fee structure. The proposal would implement a new fee schedule for the time period between July 1, 2002, through June 30, 2004, and then implement another fee schedule to begin July 1, 2004. The proposal would reassign responsibility for publishing and broadcasting notices to transfer costs to the applicant or petitioner seeking a permit or variance. The proposal would also make amendments to the financial assurance regulations. The effective date of the emergency rule was July 1, 2002, and expires June 30, 2003. Comments are due by March 28, 2003. For further information, contact Robert Wickline, VWMB, (804) 698-4213.



## WEST VIRGINIA

**NOX BUDGET TRADING PROGRAM** On January 24, 2003, Del. Virginia Mahan introduced [H.B. 2562](#), which authorizes the West Virginia Department of Environmental Protection (WVDEP) to establish a legislative rule relating to the NOx Budget Trading Program as a means of control and reduction of NOx from Non-electric Generating Units. The bill was referred to the House Judiciary Committee upon introduction. A companion bill is under consideration in the Senate, S.B. 223. For further information, contact Jim Hartman, Chief, Northern Regional Environmental Office, (410) 436-7096, DSN 584, e-mail: [james.hartman@aec.apgea.army.mil](mailto:james.hartman@aec.apgea.army.mil).

**STATIONARY SOURCES OF AIR POLLUTANTS** On January 24, 2003, Del. Virginia Mahan introduced [H.B. 2563](#), which authorizes WVDEP to establish a legislative rule relating to permits for the construction, modification, relocation and operation of stationary sources of air pollutants, notification requirements, administrative updates, temporary permits, general permits and procedures for evaluation. The bill was referred to the House Judiciary Committee upon introduction. A companion bill is under consideration in the Senate, S.B. 224. For further information, contact Jim Hartman, Chief, Northern Regional Environmental Office, (410) 436-7096, DSN 584, e-mail: [james.hartman@aec.apgea.army.mil](mailto:james.hartman@aec.apgea.army.mil).

**NEW STATIONARY SOURCES** On January 24, 2003, Del. Virginia Mahan introduced [H.B. 2564](#), which authorizes WVDEP to establish a legislative rule relating to standards of performance for new stationary sources. The bill was referred to the House Judiciary Committee upon introduction. A companion bill is under consideration in the Senate, S.B. 225. For further information, contact Jim Hartman, Chief, Northern Regional Environmental Office, (410) 436-7096, DSN 584, e-mail: [james.hartman@aec.apgea.army.mil](mailto:james.hartman@aec.apgea.army.mil).

**AIR POLLUTION RELATED TO HAZARDOUS WASTE** On January 24, 2003, Del. Virginia Mahan introduced [H.B. 2565](#), which authorizes WVDEP to establish a legislative rule relating to the prevention and control of air pollution from hazardous waste treatment, storage or disposal facilities. The bill was referred to the House Judiciary Committee upon introduction. A companion bill is under consideration in the Senate, S.B. 242. For further information, contact Jim Hartman, Chief, Northern Regional Environmental Office, (410) 436-7096, DSN 584, e-mail: [james.hartman@aec.apgea.army.mil](mailto:james.hartman@aec.apgea.army.mil).

**OPERATING PERMITS** On January 24, 2003, Del. Virginia Mahan introduced [H.B. 2567](#), which authorizes WVDEP to promulgate a legislative rule relating to requirements for operating permits. The bill was referred to the House Judiciary Committee upon introduction. A companion bill is under consideration in the Senate, S.B. 244. For further information, contact Jim Hartman, Chief, Northern Regional Environmental Office, (410) 436-7096, DSN 584, e-mail: [james.hartman@aec.apgea.army.mil](mailto:james.hartman@aec.apgea.army.mil).

**SOURCE CATEGORIES** January 24, 2003, Del. Virginia Mahan introduced [H.B. 2568](#), which authorizes WVDEP to promulgate a legislative rule relating to emission standards for hazardous air pollutants for source categories. The bill was referred to the House Judiciary Committee upon introduction. A companion bill is under consideration in the Senate, S.B. 246. For further information, contact Jim Hartman, Chief, Northern Regional Environmental Office, (410) 436-7096, DSN 584, e-mail: [james.hartman@aec.apgea.army.mil](mailto:james.hartman@aec.apgea.army.mil).

**WATER QUALITY STANDARDS** On January 24, 2003, Del. Virginia Mahan introduced [H.B. 2569](#), which authorizes the West Virginia Environmental Quality Board to promulgate a legislative rule relating to requirements governing water quality standards. The bill was referred to the House Judiciary Committee upon introduction. A companion bill is under consideration in the Senate, S.B. 257. For further information, contact Jim Hartman, Chief, Northern Regional Environmental Office, (410) 436-7096, DSN 584, e-mail: [james.hartman@aec.apgea.army.mil](mailto:james.hartman@aec.apgea.army.mil).

**TRANSPORTATION OF HAZARDOUS WASTE** On January 24, 2003, Del. Virginia Mahan introduced [H.B. 2573](#), which authorizes the West Virginia Division of Highways to promulgate a legislative rule relating to the transportation of hazardous wastes upon the roads and highways. The bill was referred to the House Roads and Transportation Committee upon introduction. A companion bill is under consideration in the Senate, S.B. 278. For further information, contact Jim Hartman, Chief, Northern Regional Environmental Office, (410) 436-7096, DSN 584, e-mail: [james.hartman@aec.apgea.army.mil](mailto:james.hartman@aec.apgea.army.mil).

**HAZARDOUS WASTE MANAGEMENT** On January 24, 2003, Del. Virginia Mahan introduced [H.B. 2604](#), which authorizes WVDEP to promulgate a legislative rule relating to hazardous waste management. The bill was referred to the House Judiciary Committee upon introduction. A companion bill is under consideration in the Senate, S.B. 250. For further information, contact Jim Hartman, Chief, Northern Regional Environmental Office, (410) 436-7096, DSN 584, e-mail: [james.hartman@aec.apgea.army.mil](mailto:james.hartman@aec.apgea.army.mil).

**RULE-MAKING AUTHORITY** On January 28, 2003, Del. Larry Williams introduced [H.B. 2717](#), which relates to the transfer of water quality standard rule-making authority from the environmental quality board to the water quality board. The bill was referred to the House Government Organization Committee upon introduction. A companion is under consideration in the Senate, S.B. 214. For further information, contact Jim Hartman, Chief, Northern Regional Environmental Office, (410) 436-7096, DSN 584, e-mail: [james.hartman@aec.apgea.army.mil](mailto:james.hartman@aec.apgea.army.mil).

**DRINKING WATER USE CATEGORY** The West Virginia Division of Environmental Protection (WVDEP) has adopted amendments to 46 CSR 1, Requirements Governing Water Quality Standards. The amendments include the changes to the drinking water use category under Water Use Category A of the standards. The Legislative Rulemaking Review Committee issued an approval of the regulation on January 8, 2003. The rule will be included in a package containing other environmental rules and will be sent to the Legislature for approval. The Legislature is expected to approve the rule package by the end of its 2003 session. For further information, contact Libby Chatfield, WVDEP, (304) 558-4002.

# Region 5

Illinois, Indiana, Michigan, Minnesota,  
Ohio and Wisconsin



## ILLINOIS

**DEFINITIONS AND SOUND MEASUREMENT STANDARDS** The Illinois Pollution Control Board (IPCB) has proposed a rule that would amend regulations under 35 IAC 900.101 and .103, and adopt regulations under new Section 35 IAC 900.106 to define terms related to noise pollution and sound measurement standards. For further information, contact William Murphy, IPCB, (312) 814-6062.



## INDIANA

**REDESIGNATION OF LAKE COUNTY TO ATTAINMENT** USEPA has issued a direct final rule approving the redesignation of Lake County, Indiana, to attainment for particulate matter with a nominal aerodynamic diameter of 10 microns or less (PM10) [68 FR 1370, January 10, 2003]. USEPA also has approved Indiana's plan for continuing to attain the PM10 standards. Indiana requested the actions on September 25, 2002. Barring adverse comment the direct final rule becomes effective on March 11, 2003. For further information, contact John Summerhays, USEPA, Regulation Development Section, Air Programs Branch, Chicago, IL, (312) 886-6067, e-mail: [summerhays.john@epa.gov](mailto:summerhays.john@epa.gov).



### **APPROVAL OF SIP AMENDMENT**

USEPA has issued a direct final rule conditionally approving amendments submitted by the state of Indiana as revisions to the SIP [68 FR 1970, January 15, 2003]. The amendments affect the PSD provisions for attainment areas for the Indiana Department of Environmental Management. Barring adverse comment the direct final rule becomes effective March 3, 2003. For further information, contact Julie Capasso, USEPA, Environmental Scientist, Permits and Grants Section, Air Programs Branch, Chicago, IL, (312) 886-1426, e-mail: [capasso.Julie@epa.gov](mailto:capasso.Julie@epa.gov).



### **MICHIGAN**

### **REVISIONS TO RULES GOVERNING SUPPLYING WATER TO THE PUBLIC**

The Michigan Department of Environmental Quality (MDEQ) has adopted revisions to rules governing supplying water to the public. The revisions: (1) change the minimum requirements that public water systems must meet regarding the form, manner, frequency, and content of public notification; (2) establish requirements for increased filtration performance and improved control of microbial pathogens, including *Cryptosporidium*, in drinking water; (3) establish maximum residual levels for disinfectants and MCLs for certain disinfection byproducts; and (4) address disinfectant precursor removal, monitoring, and reporting. The revisions became effective on January 29, 2003. For further information, contact Jean Shecker, MDEQ, (517) 241-1241.

### **GENERAL REVISIONS TO CLEANUP RULES**

MDEQ has adopted new and modified administrative rules to govern the cleanup of contaminated sites in Michigan. The rules package updated and revised rules that had been in effect since 1990, based largely on legislative changes enacted in 1995 and 1996. Key provisions of the rules include: (1) integration of the land-use-based approach to cleanup requirements throughout the rules; (2) clarification of the response activity process, from interim responses through remedial action, including detailed requirements for remedial action plans; (3) clarification of the circumstances under which MDEQ approval is required for certain response activity; (4) clarification of certain response activities required of a person who is subject to Section 20114 of the Natural Resources Environmental Protection Act to establish that he or she is diligently pursuing cleanup; (5) clarification of requirements for the relocation of contaminated soil; (6) detailed provisions for the calculation and application of generic cleanup criteria for residential, commercial, and industrial land uses; and (7) revisions to the Site Assessment Model used to evaluate the relative risk of sites of environmental contamination. As a result of comments, the proposal included cleanup criteria tables (along with the method of calculating the generic cleanup criteria) and language clarifying the determination of finality for remedies. The rules became effective on December 21, 2003. For further information, contact Lynelle Marolf, MDEQ, (517) 373-9893.



### **OHIO**

### **REVISIONS FOR NSR IN NONATTAINMENT AREAS**

USEPA has issued a final rule approving Ohio's SIP revisions for New Source Review (NSR) in nonattainment areas [68 FR 1366, January 10, 2003]. Previously, USEPA issued both a direct final approval and a proposed approval of Ohio's revisions. USEPA withdrew the direct final action upon receiving adverse comments. The current final rule responds to the public comments received. In consideration of the comments and the requirements of CAA, USEPA now fully approves Ohio's nonattainment NSR program as an addition to the SIP. Recently, USEPA announced new regulations regarding changes to the NSR program through efforts under "NSR Reform." The final rule approving Ohio's NSR SIP submission does not address USEPA's new rules; it is limited to portions of Ohio's program under prior existing rules. The final rule became effective on January 10, 2003. For further information, contact Kaushal Gupta, USEPA, Environmental Engineer, Permits and Grants Section, Air Programs Branch, Chicago, IL, (312) 886-6803, e-mail: [gupta.kaushal@epa.gov](mailto:gupta.kaushal@epa.gov).

### **NOX REGULATIONS**

USEPA has issued a direct final rule approving a plan submitted by the Ohio Environmental Protection Agency (OEPA) that contained rules to control emissions of NOx from electric generating units (EGU), non-EGUs and Portland Cement Kilns [68 FR 2211, January 16, 2003]. The plan and associated rules represent a strategy submitted by OEPA in response to USEPA's NOx SIP Call and subsequent technical amendments. USEPA believes the state's plan, which includes a NOx trading program, an energy efficiency/renewable energy feature and accommodates innovative technology projects, adequately addresses the requirements of the NOx SIP Call and meets the budget

prescribed for Ohio. Barring adverse comment the direct final rule becomes effective March 17, 2003. For further information, contact John Paskevicz, USEPA, Regulation Development Section, Air Programs Branch, Chicago, IL, (312) 886-6084, e-mail: [paskevicz.john@epa.gov](mailto:paskevicz.john@epa.gov).



## WISCONSIN

**SOLID WASTE** The Wisconsin Department of Natural Resources (WDNR) has proposed a rule that would amend regulations under WAC NR 520.04 and 520.13 (Tables 2 and 3), regarding solid waste licensing and plan review fees. The proposal would increase plan review fees and annual license fees for landfills, other solid waste facilities, and solid waste collection and transportation services by 10 percent. The proposal also would revise the landfill license fee surcharge. For further information, contact: Colleen Hellenbrand, WDNR, Bureau of Waste Management, (608) 267-7522.

**U.S. Environmental Protection Agency  
HOTLINES**

**ACID RAIN**

1-202-564-9620

**AEROMETRIC INFORMATION RETRIEVAL SYSTEM**

**AIR QUALITY SUBSYSTEM** 1-800-334-2405

**AIRS FACILITY SUBSYSTEM** 1-800-367-1044

**AIR RISK INFORMATION CENTER**

1-919-541-0888

**ANTIMICROBIAL INFORMATION**

1-703-308-0127

e-mail: [info\\_antimicrobial@epa.gov](mailto:info_antimicrobial@epa.gov)

**CENTER FOR EXPOSURE ASSESSMENT MODELING**

1-706-355-8400

e-mail: [ceam@epa.gov](mailto:ceam@epa.gov)

**CLEAN AIR TECHNOLOGY CENTER**

1-919-541-0800

e-mail: [catcmail@epa.gov](mailto:catcmail@epa.gov)

**CLEARINGHOUSE FOR INVENTORIES AND EMISSION FACTORS**

1-919-541-5285

e-mail: [info.chief@epa.gov](mailto:info.chief@epa.gov)

**EMERGENCY PLANNING AND COMMUNITY RIGHT-TO-KNOW ACT**

1-800-424-9346

**ENVIRONMENTAL JUSTICE**

1-800-962-6215

e-mail: [environmental-justice-epa@epa.gov](mailto:environmental-justice-epa@epa.gov)

**ENFORCEMENT ECONOMIC MODELS**

1-888-ECONSPT (1-888-326-6778)

**FEDERAL FACILITIES DOCKET**

1-800-548-1016

**INDOOR AIR QUALITY INFORMATION CLEARINGHOUSE**

1-800-438-4318

e-mail: [iaqinfo@aol.com](mailto:iaqinfo@aol.com)

**INSPECTOR GENERAL**

1-888-546-8740

**METHODS INFORMATION COMMUNICATION**

**EXCHANGE SERVICE**

1-703-676-4690

e-mail: [mice@cpmx.saic.com](mailto:mice@cpmx.saic.com)

**NATIONAL SERVICE CENTER FOR ENVIRONMENTAL PUBLICATIONS**

1-800-490-9198

e-mail: [ncepimal@one.net](mailto:ncepimal@one.net)

**NATIONAL LEAD INFORMATION CENTER**

1-800-424-LEAD (1-800-424-5323)

e-mail: [nlic@optimuscorp.com](mailto:nlic@optimuscorp.com)

**NATIONAL PESTICIDE INFORMATION CENTER**

1-800-858-7378

e-mail: [npic@ace.orst.edu](mailto:npic@ace.orst.edu)

**NATIONAL RADON HOTLINE**

1-800-SOS-RADON (1-800-767-7236)

e-mail: [airqual@nsc.org](mailto:airqual@nsc.org)

**NATIONAL RESPONSE CENTER**

1-800-424-8802

e-mail: [lst-nrcinfo@comdt.uscg.mil](mailto:lst-nrcinfo@comdt.uscg.mil)

**NATIONAL SMALL FLOWS CLEARINGHOUSE**

1-800-624-8301

**OZONE PROTECTION**

1-800-296-1996

e-mail: [hotline@tidalwave.net](mailto:hotline@tidalwave.net)

**POLLUTION PREVENTION INFORMATION CLEARINGHOUSE**

1-202-566-0799

e-mail: [ppic@epa.gov](mailto:ppic@epa.gov)

**RCRA, SUPERFUND AND EPCRA HOTLINE**

1-800-424-9346 or TDD 1-800-553-7672

**SAFE DRINKING WATER**

1-800-426-4791

e-mail: [hotline-sdwa@epa.gov](mailto:hotline-sdwa@epa.gov)

**STORET WATER QUALITY SYSTEM**

1-800-424-9067

e-mail: [STORET@epa.gov](mailto:STORET@epa.gov)

**TOXIC RELEASE INVENTORY**

**USER SUPPORT SERVICE** 1-202-566-0250

**COMMUNITY RIGHT-TO-KNOW** 1-800-424-9346

e-mail: [tri.us@epa.gov](mailto:tri.us@epa.gov)

**TOXIC SUBSTANCES CONTROL ACT**

1-202-554-1404

e-mail: [tsca-hotline@epa.gov](mailto:tsca-hotline@epa.gov)

**WASTEWISE**

1-800-EPA-WISE (1-800-372-9473)

e-mail: [ww@cais.net](mailto:ww@cais.net)

**WETLANDS INFORMATION**

1-800-832-7828

e-mail: [wetlands.helpline@epa.gov](mailto:wetlands.helpline@epa.gov)

## INTERNET RESOURCES

### FEDERAL SOURCES

- U.S. AEC <http://aec.army.mil>
- U.S. EPA <http://www.epa.gov/>
  - REGION 1 <http://www.epa.gov/region01/>
  - REGION 2 <http://www.epa.gov/region2/>
  - REGION 3 <http://www.epa.gov/region03/index.htm>
  - REGION 5 <http://www.epa.gov/region5/>
- USDA <http://www.usda.gov/>
- DOI <http://www.doi.gov/>
- FEDERAL REGISTER [http://www.access.gpo.gov/su\\_docs/aces/aces140.html](http://www.access.gpo.gov/su_docs/aces/aces140.html)
- CODE OF FEDERAL REGULATIONS <http://www.access.gpo.gov/nara/cfr/cfr-table-search.html>
- MAINE <http://janus.state.me.us/homepage.asp>
- MARYLAND <http://www.mec.state.md.us/>
- MASS. <http://www.magnet.state.ma.us/massgov.htm>
- MICHIGAN <http://www.migov.state.mi.us/>
- MINNESOTA <http://www.state.mn.us/>
- NEW HAMPSHIRE <http://www.state.nh.us/>
- NEW JERSEY <http://www.state.nj.us/>
- NEW YORK <http://www.state.ny.us/>
- OHIO <http://www.state.oh.us/>
- PENNSYLVANIA <http://www.state.pa.us/>
- PUERTO RICO <http://fortaleza.govpr.org/ingles/pris.htm>
- RHODE ISLAND <http://www.state.ri.us/>

### STATE/TERRITORY SOURCES

- CONNECTICUT <http://www.state.ct.us/>
- DELAWARE <http://www.state.de.us/>
- DISTRICT OF COLUMBIA <http://www.dccouncil.washington.dc.us>
- ILLINOIS <http://www.state.il.us/>
- INDIANA <http://www.state.in.us/>
- VERMONT <http://vermont.gov/>
- VIRGIN ISLANDS <http://www.gov.vi/>
- VIRGINIA <http://www.state.va.us/>
- WEST VIRGINIA <http://www.state.wv.us/>
- WISCONSIN <http://www.wisconsin.gov>

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